



**U.S. DEPARTMENT OF TRANSPORTATION**

FEDERAL HIGHWAY ADMINISTRATION

CALIFORNIA DIVISION

650 Capitol Mall, Suite 4-100

Sacramento, CA. 95814

March 10, 2006

IN REPLY REFER TO

HDA-CA

Document #: S48849

Mr. Will Kempton, Director  
California Department of Transportation  
1120 N Street  
Sacramento, CA 95814

Attention: Federal Resources Office, MS #82  
For Ross A. Chittenden, Transportation Programming

Dear Mr. Kempton:

SUBJECT: 2004/05-2006/07 FSTIP AMENDMENT NO. 21, NON-METROPOLITAN AREA

We have completed our review of Amendment Number 21 to the non-metropolitan planning organization portion of the 2004/05-2006/07 Federal Statewide Transportation Improvement Program (FSTIP). As detailed in the enclosure to your letter dated February 21, 2006, this amendment proposes to modify the grouped project listings for: (1) the Section 130 Railroad Grade Crossing Protection program, (2) Hazard Elimination – Safety program & Safe Routes to School projects, and (3) Federal Transit Administration 5309 Program projects. In addition, this amendment proposes to add a new project listings for the Yreka Downtown Bike and Pedestrian Path project and modify the current listing for the City of Red Bluff Walnut Street Beautification and Pedestrian Improvement project.

Your letter proposed modifications to the FSTIP listing for the Lake Almanor Bike Path project. Because the project information related to the Lake Almanor Bike Path project was omitted from the FSTIP data provided to the Federal Highway Administration and the Federal Transit Administration (FTA) as part of this FSTIP amendment request, and based on our follow-up discussions with Penny Gray in the Division of Transportation Programming, we are approving this amendment without taking action on the Lake Almanor Bike Path project described in your transmittal letter.

This amendment increases the amount of funding committed to projects in the non-metropolitan area by an additional \$3.676 million. Specifically, the amendment reduces programming in year 2004/05 by \$326,000, increased programming in year 2005/06 by \$2.175 million, and increases funding commitments in program year 2006/07 by \$1.827 million.

We accept this amendment in accordance with 23 CFR part 450 and find that the amended FSTIP is based on a continuing, cooperative and comprehensive transportation planning process, and was developed in accord with the statewide planning provisions in 23 U.S.C. 135. The program listing modifications proposed by this FSTIP amendment are either in areas of



California designated attainment for National Ambient Air Quality Standards (NAAQS), or are associated with the type of projects that, pursuant to 40 CFR part 93, are exempt from the requirement that a conformity analysis and determination be made, and as a consequence, are not subject to the requirement that a conformity determination be made prior to their inclusion in the FSTIP. These findings have been coordinated with the Region IX office of the Federal Transit Administration.

Our review noted that the Title/Description for the grouped project listings for the Section 130 Railroad Grade Crossing Protection program, the Hazard Elimination Safety program, and the FTA 5309 Program included references to the grouped project classifications included in 40 CFR Part 93. We again remind Caltrans that the grouped project classifications in 40 CFR Part 93 are not applicable or appropriate for the grouping of projects in those geographic areas of the State of California that are designated as attainment for NAAQS. Pursuant to 23 CFR 450.216, projects in areas designated as attainment for NAAQS may be grouped using the applicable National Environmental Policy Act Categorical Exclusions (CEs) classifications under 23 CFR 771.117 (c) and (d). A specific list of CEs normally not requiring NEPA documentation is set forth in section 771.117(c). Additional projects that may qualify as CEs, when appropriately documented, are set forth in section 771.117(d).

We are approving this amendment to the 2004/05-2006/07 FSTIP for the non-MPO areas of California in accord with the July 15, 2004, *Memorandum of Understanding between the Federal Highway Administration, California Division, and the Federal Transit Administration, Region IX*. If you have questions or need additional information concerning our approval of this FSTIP amendment, please contact Wade Hobbs of the FHWA California Division office at. (916) 498-5027, or by e-mail at, [wade.hobbs@fhwa.dot.gov](mailto:wade.hobbs@fhwa.dot.gov).

Sincerely,

**/s/ Leslie T. Rogers**

Leslie T. Rogers  
Regional Administrator  
Federal Transit Administration

**/s/ K. Sue Kiser**

For  
Gene K. Fong  
Division Administrator  
Federal Highway Administration

c: (e-mail)

Ted Matley, FTA Region IX

Randy Steen, Caltrans Federal Resources

Penny Gray, Caltrans Division of Programming

Terry Abbott, Caltrans Office of Local Programs

cc:

Rural (non-MPO) FSTIP Binder

WEH/